



EDMUND G. BROWN JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

Division of Drinking Water

June 14, 2018  
Certified Mail/Return  
7012 3460 0003 1112 9578

Colusa County Water Works District #1 - Grimes  
P.O. Box 131  
Grimes, CA 95950

Attention: Stuart Angerer, Director

**Subject: Colusa County Water Works District #1 - Grimes, Public Water System No. 0600008 – Compliance Order No. 21-18R-005 for Exceedance of the Arsenic Maximum Contaminant Level.**

Enclosed is an amended Compliance Order for arsenic that was originally issued to the Colusa County Water Works District #1 - Grimes in January 2009. The amended Order is being issued because a return to compliance date for the maximum contaminant level had not been set. Please read this Order carefully, paying special attention to the directives therein.

Any person who is aggrieved by an order or decision issued by the Division, may file a petition with the State Water Board for reconsideration of the order or decision. Petitions must be received by the State Water Board within 30 days of the issuance of the citation, order or decision by the officer or employee of the state board. The date of issuance is the date when the Division of Drinking Water mails a copy of the citation, order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day by 5:00 p.m.

Information regarding filing petitions may be found at:

[http://www.waterboards.ca.gov/drinking\\_water/programs/petitions/index.shtml](http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml)

If you have any questions please call Paul Rowe at (530) 224-4866 or contact me directly at (530) 224-4861.

Reese B. Crenshaw, P.E.  
Valley District Engineer  
DRINKING WATER FIELD  
OPERATIONS BRANCH

Enclosures

FELICIA MARCUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

364 Knollcrest Drive, Suite 101, Redding, CA 96002 | [www.waterboards.ca.gov](http://www.waterboards.ca.gov)

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**STATE OF CALIFORNIA**  
**STATE WATER RESOURCES CONTROL BOARD**  
**DIVISION OF DRINKING WATER**

10 **TO:** Colusa County Water Works District #1 - Grimes  
11 Attn: Stuart Angerer, Director  
12 P.O. Box 131  
13 Grimes, CA 95950  
14  
15

16 **AMENDED COMPLIANCE ORDER FOR NONCOMPLIANCE OF THE ARSENIC**  
17 **MAXIMUM CONTAMINANT LEVEL**  
18

19 **COMPLIANCE ORDER NO. 21-18R-005**  
20

21 **Colusa County Water Works District #1 - Grimes**

22 **System No. 0600008**

23 **Issued: June 14, 2018**  
24

25 Section 116655 of Chapter 4 of Part 12 of Division 104 of the California Health and  
26 Safety Code (H&S Code) authorizes the issuance of a compliance order for failure to  
27 comply with a requirement of the California Safe Drinking Water Act or any  
28 regulation, standard, permit, or order issued thereunder.  
29

1 The State Water Resources Control Board (hereinafter "Board"), acting by and  
2 through its Division of Drinking Water (hereinafter "Division") and the Deputy Director  
3 for the Division, hereby issues this compliance order (hereinafter "Order") pursuant  
4 to Section 116655 of the California Health and Safety Code (hereinafter "CHSC") to  
5 Colusa County Water Works District #1 - Grimes for violation of CHSC section  
6 116655(a)(1) and title 22, California Code of Regulations (hereinafter "CCR"),  
7 Section 64431.

### 8 9 **APPLICABLE AUTHORITIES**

10 See Applicable Authorities in Attachment A  
11

### 12 **STATEMENT OF FACTS**

13 The Colusa County Water Works District #1 - Grimes water system (hereinafter,  
14 "System") is a community water system located in Colusa County that supplies water  
15 for domestic purposes to approximately 380 people. The System utilizes Well No. 1  
16 as one of its sources of domestic water. Beginning in 2008 to the present, arsenic  
17 levels from Well No. 1 have been exceeded the maximum contaminant level of 10  
18 parts per billion (ppb), averaging 24.5 ppb.

19  
20 As shown in the most recent quarterly results in the table below, Well No. 1  
21 continues to produce water that exceeds the arsenic MCL.  
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Sample Quarter	Well No. 1
3 <sup>rd</sup> Quarter of 2017	26.0 ppb
4 <sup>th</sup> Quarter of 2017	24.0 ppb
1 <sup>st</sup> Quarter of 2018	23.0 ppb
2 <sup>nd</sup> Quarter of 2018	25.1 ppb
<b>RAA</b>	<b>24.5 ppb</b>

As a result of this violation, the System was issued Compliance Order No. 01-21-09(O)06001 in January of 2009.

While the System has made progress towards compliance with the original compliance order, the compliance order does not contain a return to compliance deadline.

#### **DETERMINATIONS**

Based on the above Statement of Facts, The Division has determined that the System continues to violate Section 116555 of the CHSC, and Sections 64431 and 64432 of the CCR, in that the water produced by System's Well No. 1 continues to exceed the arsenic MCL.

#### **DIRECTIVES**

This compliance order amends the above referenced compliance order as provided by the following directives:

- 1           1. On or before **December 1, 2022**, comply with the maximum contaminant  
2           levels specified in Sections 64431 and 64432 of the California Code of  
3           Regulations.  
4
- 5           2. On or before **July 10, 2018**, and every three months thereafter, the  
6           System shall submit quarterly progress reports to the Division in the form  
7           provided as attachment 'B'.  
8
- 9           3. Until such time that the System is in compliance with the maximum  
10          contaminant level for arsenic, the System shall continue to provide  
11          quarterly public notification to notify customers that the domestic water  
12          exceeds the arsenic maximum contaminant level. The System shall  
13          submit a copy of the quarterly notification and certification that it has been  
14          distributed to water users to the Division by no later than the tenth day of  
15          the month following the month the notification was distributed.  
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19 All submittals required by this Order shall be addressed to:

20           Reese B. Crenshaw, P.E.  
21           Valley District Engineer  
22           Drinking Water Field Operations  
23           Division of Drinking Water  
24           State Water Resources Control Board  
25           364 Knollcrest Drive, Suite 101  
26           Redding, CA 96002  
27           (530) 224-4800  
28



Nothing in this Order relieves the System of its obligation to meet the requirements of Health and Safety Code, Division 104, Part 12, Chapter 4 (California Safe Drinking Water Act), or any regulation, permit, standard or order issued or adopted thereunder.

The Division reserves the right to make such modifications to this Citation, as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Citation and shall be effective upon issuance.

#### **FURTHER ENFORCEMENT ACTION**

The California SDWA authorizes the Board to: issue citation with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order.

The California SDWA also authorizes the Board to take action to suspend or revoke a permit that has been issued to a public water system if the system has violated applicable law or regulations or has failed to comply with an order of the Board; and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with or violates an order of the Board. The Board does not waive any further enforcement action by issuance of this citation.

#### **PARTIES BOUND**

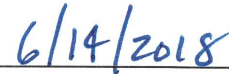
This Order shall apply to and be binding upon the System, its officers, directors, agents, employees, contractors, successors, and assignees.

**SEVERABILITY**

The directives of this Order are severable, and System shall comply with each and every provision thereof notwithstanding the effectiveness of any other provision.



Richard L. Hinrichs, P.E., Chief  
Northern California Section  
State Water Resources Control Board  
Division of Drinking Water



Date

**Attachments:**

Attachment A - Applicable Authorities

Attachment B - Quarterly Progress Report

**APPLICABLE AUTHORITIES**

**Section 116655 of the CHSC states:**

*(a) Whenever the state board determines that any person has violated or is violating this chapter, or any order, permit, regulation, or standard issued or adopted pursuant to this chapter, the state board may issue an order doing any of the following:*

- 1) Directing compliance forthwith.*
- 2) Directing compliance in accordance with a time schedule set by the state board.*
- 3) Directing that appropriate preventive action be taken in the case of a threatened violation.*

*(b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:*

- 1) That the existing plant, works, or system be repaired, altered, or added to.*
- 2) That purification or treatment works be installed.*
- 3) That the source of the water supply be changed.*
- 4) That no additional service connection be made to the system.*
- 5) That the water supply, the plant, or the system be monitored.*
- 6) That a report on the condition and operation of the plant, works, system, or water supply be submitted to the state board.*



**Section 116555 of the CHSC states in relevant part:**

*(a) Any person who owns a public water system shall ensure that the system does all of the following:*

- 1) Complies with primary and secondary drinking water standards.*
- 3) Provides a reliable and adequate supply of pure, wholesome, healthful, and potable water.*

**Section 116701 of the CHSC states in relevant part:**

**Petitions to Orders and Decisions**

- (a) Within 30 days of issuance of an order or decision issued by the deputy director under Article 8 (commencing with Section 116625) or Article 9 (commencing with Section 116650), an aggrieved person may petition the state board for reconsideration. Where the order or decision of the deputy director is issued after a hearing under Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, this section shall apply instead of Section 11521 of the Government Code.*
- (b) The petition shall include the name and address of the petitioner, a copy of the order or decision for which the petitioner seeks reconsideration, identification of the reason the petitioner alleges the issuance of the order was inappropriate or improper, the specific action the petitioner requests, and other information as the state board may prescribe. The petition shall be accompanied by a statement of points and authorities of the legal issues raised by the petition.*
- (c) The evidence before the state board shall consist of the record before the deputy director and any other relevant evidence that, in the judgment of the state board,*

## ATTACHMENT A

*should be considered to implement the policies of this chapter. The state board may, in its discretion, hold a hearing for receipt of additional evidence.*

- (d) The state board may refuse to reconsider the order or decision if the petition fails to raise substantial issues that are appropriate for review, may deny the petition upon a determination that the issuance of the order or decision was appropriate and proper, may set aside or modify the order or decision, or take other appropriate action. The state board's action pursuant to this subdivision shall constitute the state board's completion of its reconsideration.*
- (e) The state board, upon notice and hearing, if a hearing is held, may stay in whole or in part the effect of the order or decision of the deputy director.*
- (f) If an order of the deputy director is subject to reconsideration under this section, the filing of a petition for reconsideration is an administrative remedy that must be exhausted before filing a petition for writ of mandate under Section 116625 or 116700.*

### **Section 64431 of the CCR states in relevant part:**

*Public water systems shall comply with the primary MCLs in table 64431-A:*

*(Specifically, Table 64431- A indicates a MCL for Arsenic of 0.010 mg/L)*

### **Section 64432(i) of the CCR states in relevant part:**

- 1. Compliance with the MCLs shall be determined by a running annual average (RAA); if any one sample would cause the annual average to exceed the MCL, the system is immediately in violation.*

# Quarterly Progress Report

Water System: <b>Colusa County WWD #1 - Grimes</b>	Water System No.: <b>0600008</b>
Compliance Order No. <b>01_21_18R_001_0600008_02</b>	Violation: <b>Arsenic MCL Exceedance</b>
Calendar Quarter:	Date Prepared:

This form should be prepared and signed by water system personnel with appropriate authority to implement the directives of the Compliance Order. Please attach additional sheets as necessary. The quarterly progress report must be submitted by the 10<sup>th</sup> day of each subsequent quarter, to the Division of Drinking Water, Valley District Office.

**Summary of progress in the reporting quarter:**

**Anticipated compliance date (no later than December 1, 2021) :** \_\_\_\_\_

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Name \_\_\_\_\_

Signature

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Title

Date \_\_\_\_\_